

FILED 29 JUN '23 10:33 USDC-ORE

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Eugene DIVISION

JAMES Ervin Brown Jr

(Enter full name of plaintiff)

Plaintiff,

v.

The State of Oregon
Governor Tina Kotek

Attorney General Ellen Rosenblum

Patricia Perlou

David Schwartz

Amber Kolsrud

Cliff Harold

(Enter full name of ALL defendant(s))

Defendant(s).

Civil Case No. 6:23-cv-00951-AR
(to be assigned by Clerk's Office)

COMPLAINT FOR VIOLATION OF CIVIL
RIGHTS (PRISONER COMPLAINT)

Jury Trial Demanded

☒ Yes

☐ No

I. PARTIES

List your name, address, and telephone number below, and the same information for each defendant. Make sure that the defendant(s) listed below are identical to those contained in the caption of the complaint. Attach additional sheets of paper if necessary.

Plaintiff

Name: JAMES Ervin Brown Jr. 1048983

Street Address: 101 W. 5th Ave

City, State & Zip Code: Eugene OR 97401

Telephone No.: N/A

Defendant No. 1 Name: Tina Kotek & The State of Oregon
Street Address: 900 Court St
City, State & Zip Code: Salem OR 97301
Telephone No.: ?

Defendant No. 2 Name: Ellen Rosenblum
Street Address: 995 Center Street NE
City, State & Zip Code: Salem OR 97301
Telephone No.: ?

Defendant No. 3 Name: Patricia Perlow, Amber Kolsrud, David Schwartz
Street Address: 125 E 8th Ave Room 400
City, State & Zip Code: Eugene OR 97401
Telephone No.: 541-682-4261

Defendant No. 4 Name: Cliff Harold
Street Address: 101 W. 5th Ave
City, State & Zip Code: Eugene OR 97401
Telephone No.: ?

II. BASIS FOR JURISDICTION

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. You are bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
- ☒ State or local officials (a § 1983 claim)

B. What federal constitutional, statutory, or treaty right(s) is/are at issue?

5th Amendment, 6th Amendment, 8th Amendment, 9th
14th Amendment, and ADA protections

III. STATEMENT OF CLAIMS

Claim I

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

The State through its representatives Tina Kotek, Ellen Rosenblume, Patricia Perloes, David Schwartz, Amber Kolsrud, and cliff Harrold have held Mr. Brown for five months without adequate legal counsel inflicting serious mental, emotional, and physical harm to his person. Mr. Brown has had three separate attorneys and now has none. He did not receive discovery until his third attorney months after being taken into custody

Claim II

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

The State through its representatives have been deliberately indifferent to the seriousness perpetuating

the state and its under represented peoples by not correcting the unconstitutional disparity in legal representation for over a year. The State, with prior knowledge of the facts, continues to operate less the public counsel needed to adequately adjudicate allegations in a constitutionally acceptable manner, creating serious mental, emotional and physical trauma on Mr. Brown and thousands of others.

Claim III

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

The state through its representatives specifically the Lane County District Attorney Patricia Perlman, David Schwartz, and Amber Kalsrud, submitted inaccurate and or false evidence against Mr. Brown used to hold detainees like himself in custody barring them from challenging evidence, or to correct evidence by threat, coercion, and or intimidation, resulting in the foreclosure of his home, the loss of all his possessions, a \$30,000 judgement, Severe mental, emotional and physical trauma.

(If you have additional claims, describe them on another piece of paper, using the same outline.)

IV. EXHAUSTION OF ADMINISTRATIVE REMEDIES

I have filed for administrative relief as to all claims in Section III and have concluded all administrative appeals available to me.

☐ Yes

☒ No

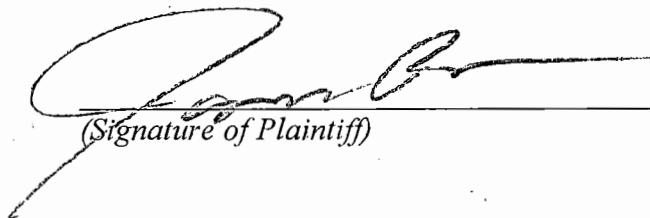
V. RELIEF

State briefly exactly what you want the court to do for you and the amount, if any, of monetary compensation you are seeking. Make no legal arguments. Cite no cases or statutes.

- 1) Waive the Administrative remedy requirement as it is
futile to ask Lane County adult corrections to make decisions
for the state. And due to the ongoing abuse being
applied to Mr. Brown Expedited review is necessary
- 2) Stay of Prosecution for Mr. Brown.
- 3) Release from custody
- 4) \$10,000,000 (ten million dollars) person damages
- 5) Positive Damages to be determined by the court.
- 6) Dismissal of all filed or non filed charges from today back,
with prejudice

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 23 day of June, 2023.


(Signature of Plaintiff)